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MESSAGE STATUS: Active CATEGORY: Antidumping
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PERIOD OF REVIEW: TO

PERIOD COVERED: 08/28/1991 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY ORDER ON PERSONAL WORD PROCESSORS FROM JAPAN

MESSAGE NO: 1267115

DATE: 09 24 1991

CATEGORY: ADA

TYPE: ORD

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 818

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PERIOD COVERED: 08 28 1991 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: ANTIDUMPING DUTY ORDER ON PERSONAL WORD PROCESSORS FROM
JAPAN

1267115

September 24, 1991

interested parties.

1. On August 28, 1991 the Department of Commerce published an antidumping duty order on personal word processors from Japan.

2. The merchandise covered by this investigation consists of integrated personal word processing systems and major finished units thereof ("word processors"), which are defined as devices

designed principally for the composition and correction of text.

All word processors within the scope of this investigation have the following essential features: (1) a customized operating system designed exclusively for a manufacturer's word processor product line which is unable to run commercially available software and which is permanently installed by the manufacturer before or after importation; (2) a word processing software/firmware program which is designed exclusively for the word processor product line and which is permanently installed by the manufacturer before or after importation; and (3) internal memory (both read-only memory ("ROM") and read-write random access memory ("RAM")) for word processing.

In addition, word processors may include one or more of the following features: (1) an auxiliary memory storage device, whether internal (e.g., RAM storage) and/ or external (e.g., which accepts floppy diskettes, RAM cards, or other nonvolatile media); (2) software/ firmware designed or modified for use exclusively on a line of word processors (e.g., a spreadsheet or word processing-assist program); (3) an interface permitting the transfer of information to other word processors, telecommunication links, computers, and the like; and (4) a type mode, which permits the word processor to function as a typewriter by typing characters directly onto paper. However, the inclusion or exclusion of one or more of these features from a word processor is not dispositive as to whether merchandise is within the scope of this investigation.

All word processors included within the scope of this investigation contain the following three units: (1) a keyboard for the entry of characters, numerals and symbols; (2) a video display; and (3) a chassis or frame containing the essential word processing features listed above. These units may either be integrated into one word processing system or be combined by the user into one working system. Word processors may include, as a fourth unit, a printer with a platen (or equivalent text-to-paper transfer system) and printing mechanism to permit the printing of text on paper. However, word processors which do not include a

printer as one of the major units are also included within the scope of the investigation.

Word processors may be imported as integrated systems, or the major finished units may be imported separately. With respect to major finished units, only the major finished units listed above are covered by this investigation. Keyboards and chassis/ frames are included in this investigation if they are designed for use in word processors. Printers and video displays are included in this investigation only if they are dedicated exclusively for use in word processors.

Major finished units are distinguished from parts or subassemblies in that they do not require any additional manufacturing before functioning as a complete unit of a word processor. Neither parts nor subassemblies are included in the scope of this investigation.

Word processing devices which meet all of the following criteria are excluded from the scope of this investigation: (1) easily portable, with a handle and/ or carrying case, or similar mechanism to facilitate its portability; (2) electric, regardless of source of power; (3) comprised of single, integrated unit; (4) have a keyboard embedded in the chassis or frame of the machine; (5) have a built-in printer; (6) have a platen to accommodate paper; and (7) only accommodate their own dedicated or captive software. (See also Final Scope Ruling: Portable Electronic Typewriters from Japan (55 FR 47358, November 13, 1990).)

Specifically excluded from the scope of this investigation are automatic typewriters with one- or two-line displays.

Also excluded from the scope of this investigation are personal computers ("PCs"), including those PCs which are capable of word processing. PCs are a class of automatic data processing machines. Unlike automatic data processing machines, word processing machines cannot make the logical decision during processing to modify the execution of a program, i.e., the user

of a word processor cannot use the word processor to create new software or to modify the program code of existing computer programs. PCs are also distinguished from the word processors subject to this investigation by reason of their operating systems, which are capable of running a variety of "off-the-shelf" software programs installed by the purchaser. In addition, PCs generally have significantly higher memory storage capacities and often contain major finished units which are interchangeable with units manufactured by several producers.

Office typing systems are specifically excluded from the scope of this investigation by virtue of the ITC determining that there is no injury with respect to that like product. Word processors are currently classified under HTS subheading 8469.10.00. The video displays covered by this order are currently classified under HTS subheading 8473.10.00107. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

3. For further reporting purposes, this investigation has been assigned investigation number A-588-818. The Customs Identification numbers (below) are to be used for Customs identification purposes and blue line reports.

4. For exports of all personal word processors from Japan, the U.S. Customs Service shall continue to suspend liquidation of such personal word processors that are entered or withdrawn from warehouse on or after April 22, 1991, and shall require a cash deposit on entries filed on or after August 28, 1991, equal to the "weighted average margin percentage" listed below:

MANUFACTURER/ PRODUCER/	CUSTOMS ID	NOWEIGHTED AVERAGE EXPORTER MARGIN PERCENTAGE
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Brother Industries, Ltd.	A-588-818-001	58.71
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Kyushu Matsushita	A-588-818-002	58.71
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Electric Co., Ltd.

All Others A-588-818-000 58.71

7. On August 19, 1991, the International Trade Commission notified the Department that imports of office typing systems are not materially injuring, or threatening material injury to, a U.S. industry. Accordingly, suspension of liquidation should be terminated for all entries of office typing systems from Japan that were entered, or withdrawn from warehouse, for consumption, on or after April 22, 1991. All bonds and estimated duties deposited on entries of these typing systems should be refunded. (Further clarification on the above is forthcoming.)

8. If there are any questions regarding this matter by Customs Officers, they should be referred to the Import Specialist Division, Other Agency Branch, Customs Headquarters (FTS 566-8561), or by E-Mail to attribute "HQ OAB". The importing public and other interested parties should contact Stephanie Hager or Ross Cotjanle of the Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, Telephone: (202) 377-5055 or 377-3534, respectively.

9. There are no restrictions on disclosing the above information.

Nancy McTiernan

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party